

WINSTON & STRAWN LLP

AMANDA L. GROVES (SBN 187216)

agroves@winston.com

KOBI K. BRINSON (*Pro Hac Vice*)

kbrinson@winston.com

STACIE C. KNIGHT (*Pro Hac Vice*)

sknight@winston.com

333 S. Grand Avenue, 38th Floor

Los Angeles, CA 90071

Telephone: 213.615.1700

Facsimile: 213.615.1750

*Attorneys for Defendants Wells Fargo Bank, N.A.
and Wells Fargo & Co.*

MCGUIREWOODS LLP

AVA E. LIAS-BOOKER (*Pro Hac Vice*)

aliasbooker@mcguirewoods.com

ALICIA A. BAIARDO (SBN 254228)

abaiardo@mcguirewoods.com

JASMINE K. GARDNER (*Pro Hac Vice*)

kgardner@mcguirewoods.com

Two Embarcadero Center, Suite 1300

San Francisco, CA 94111-3821

Telephone: 415.844.9944

Facsimile: 415.844.9922

*Attorneys for Defendants Wells Fargo Bank, N.A.
and Wells Fargo & Co.*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

AARON BRAXTON, GIA GRAY, BRYAN
BROWN AND PAUL MARTIN, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., a Delaware
corporation; WELLS FARGO HOME
MORTGAGE, INC. a Delaware corporation;
and WELLS FARGO & CO., a Delaware
corporation

Defendants.

Case No. 3:22-cv-01748-JD

Hon. James Donato

**STIPULATION REGARDING
BRIEFING SCHEDULE AND HEARING ON
PLAINTIFFS' MOTION TO APPOINT
INTERIM COUNSEL FOR A PUTATIVE
REFINANCING CLASS**

Pursuant to Local Civil Rules 6-2 and 7-12, the Parties, through their respective counsel, hereby stipulate to the following briefing schedule.

WHEREAS, five putative class actions have been related and are before this Court. *See Williams v. Wells Fargo Bank, N.A., et al.*, Case No. 3:22-cv-00990-JD (filed Feb. 17, 2022); *Braxton v. Wells Fargo Bank, N.A., et al.*, Case No. 3:22-cv-01748-JD (filed Mar. 18, 2022); *Pope v. Wells Fargo Bank, N.A. et al.*, No. 4:22-cv-01793-JD (filed Mar. 21, 2022); *Ebo v. Wells Fargo Bank, N.A.*, No. 3:22-cv-02535-JD (filed Apr. 26, 2022); and *Perkins v. Wells Fargo Bank, N.A., et al.*, Case No. 3:22-cv-3455-CRB (filed June 10, 2022) (“Related Cases”).

WHEREAS, on July 28, 2022, the *Braxton* Plaintiffs filed a Motion to Appoint Interim Counsel for a Putative Refinancing Class (“*Braxton’s* Plaintiffs’ Interim Counsel Motion”, *Braxton* Dkt. No. 45). The *Braxton* Plaintiffs’ Interim Counsel Motion is currently set for September 1, 2022, with any opposition or response to the Motion currently due August 11, 2022, and any reply due August 18, 2022.

WHEREAS, Wells Fargo filed a Motion to Consolidate the Related Cases on August 5, 2022 initially setting it for hearing on November 10, 2022 as it continued to work with all counsel on scheduling.

WHEREAS, the Parties request the Court continue the *Braxton* Plaintiffs’ Interim Counsel Motion and set the following briefing schedule on the *Braxton* Plaintiffs’ Interim Counsel Motion and Wells Fargo’s Motion to Consolidate, in order to allow both Motions to be heard on the same day and allow all parties sufficient time to respond.

WHEREAS, the Parties’ Stipulation will alter the current deadlines as follows:

Action on Interim Counsel Motion	Present Date	Stipulated Date
Responses or Objections	August 11, 2022	August 26, 2022
Reply to Responses or Objections	August 18, 2022	September 16, 2022
Hearing on Motion	September 1, 2022	September 29, 2022

WHEREAS, lead counsel for the *Braxton* Plaintiffs, Dennis S. Ellis, may be in trial on September 29, 2022, as he is currently serving as lead trial counsel for Pacific Gas & Electric

Company in a matter captioned *Gloria Ruckman, et al. v. Big n Deep Ag Development Co., et al.*, Superior Court of the State of California, County of Kern, Case No. BCV-15-101699. The *Braxton* Plaintiffs are hopeful that trial will be completed by September 29, 2022 and the Parties will inform this Court no later than September 22, 2022, if lead counsel for the *Braxton* Plaintiffs will not be available on September 29, 2022, so that the Parties may work with the Court to set an alternative Hearing Date.

WHEREAS, the following prior extensions have been granted:

1. Extension of time to answer the Complaint granted for Defendants, *Braxton* Dkt. No. 12; and
2. Extension of time to answer the First Amended Complaint granted for Defendants, *Braxton* Dkt. No. 18.

THEREFORE, THE PARTIES AGREE AND JOINTLY REQUEST the Court enter an order setting the following briefing scheduling:

1. Any response to the *Braxton* Plaintiffs' Interim Counsel Motion or Wells Fargo's anticipated Motion to Consolidate will be due no later than August 26, 2022;
2. Any Reply in support of the Interim Counsel Motion or Wells Fargo's anticipated Motion to Consolidate will be due no later than September 16, 2022;
3. The *Braxton* Plaintiffs' Interim Counsel Motion and Wells Fargo's anticipated Motion to Consolidate will be set for hearing on September 29, 2022 unless otherwise ordered.

IT IS SO STIPULATED AND AGREED.

DATED: August 8, 2022

WINSTON & STRAWN LLP

By: /s/ Amanda L. Groves
 Amanda L. Groves
 agroves@winston.com
 333 S. Grand Avenue, 38th Floor
 Los Angeles, CA 90071
 Telephone: (213) 615-1700
 Facsimile: (213) 615-1750

1 Kobi K. Brinson (*admitted pro hac vice*)
2 kbrinson@winston.com
3 Stacie C. Knight (*admitted pro hac vice*)
4 sknight@winston.com
5 300 South Tryon Street, 16th Floor
6 Charlotte, NC 28202
7 Telephone: (704) 350-7700
8 Facsimile: (704) 350-7800

9 **MCGUIREWOODS LLP**

10 By: /s/ Alicia A. Baiardo
11 Ava E. Lias-Booker (*admitted pro hac vice*)
12 alias-booker@mcguirewoods.com
13 Alicia A. Baiardo
14 abaiardo@mcguirewoods.com
15 Jasmine K. Gardner (*admitted pro hac vice*)
16 jgardner@mcguirewoods.com
17 Two Embarcadero Center, Suite 1300
18 San Francisco, CA 94111-3821
19 Telephone: (415) 844.9944
20 Facsimile: (415) 844.9922

21 *Attorneys for Defendants*
22 WELLS FARGO BANK, N.A.,
23 WELLS FARGO HOME MORTGAGE, INC.,
24 AND WELLS FARGO & COMPANY

25 DATED: August 8, 2022

26 **ELLIS GEORGE CIPOLLONE O'BRIEN**
27 **ANNAGUEY LLP**

28 By: /s/ Noah S. Helpern
Noah S. Helpern (State Bar No. 254023)
nhelpern@egcfirm.com
Trent B. Copeland (State Bar No. 136890)
tcopeland@egcfirm.com
Ryan Q. Keech (State Bar No. 280306)
rkeech@egcfirm.com
2121 Avenue of the Stars, Suite 2800
Los Angeles, California 90067
Telephone: (310) 274-7100
Facsimile: (310) 275-5697

FRANK SIMS & STOLPER LLP

By: /s/ Scott H. Sims

Jason Frank (State Bar No. 190957)

jfrank@lawfss.com

Scott H. Sims (State Bar No. 234148)

ssims@lawfss.com

Andrew D. Stolper (State Bar No. 205462)

astolper@lawfss.com

19800 MacArthur Blvd., Suite 855

Irvine, California 92612

Telephone: (949) 210-2400

Facsimile: (949) 201-2405

*Attorneys for Plaintiffs Aaron Braxton, Gia Gray,
Bryan Brown, Paul Martin, on behalf of themselves
and all others similarly situated*

1 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(h)(3)**

2 Pursuant to Civil Local Rule 5-1(h)(3), the filer of this document attests that concurrence in
3 the filing of this document has been obtained from the signatories above.

4
5 By: /s/ Alicia A. Baiardo_____

6 Alicia A. Baiardo
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2022, I electronically filed the foregoing document entitled **STIPULATION REGARDING BRIEFING SCHEDULE AND HEARING ON PLAINTIFFS' MOTION TO APPOINT INTERMIM COUNSEL FOR A PUTATIVE REFINANCING CLASS** with the Clerk of the Court for the United States District Court, Northern District of California using the CM/ECF system and served a copy of same upon all counsel of record via the Court's electronic filing system.

Dated: August 8, 2022

By: /s/ Alicia A. Baiardo
Alicia A. Baiardo